



Kirkpatrick & Lockhart Nicholson Graham LLP

599 Lexington Avenue  
New York, NY 10022-6030  
212.536.3900  
Fax 212.536.3901  
[www.klng.com](http://www.klng.com)



September 20, 2006

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Andries VAN ES et al.

U.S. Patent Application No. 10/566,878      Filed: April 4, 2006  
Attorney Docket No. NY060155VANES      Confirmation No. 9964  
"USE OF RECOMBINANT OR SYNTHETIC GELATIN-LIKE PROTEINS AS STABILISER IN LYOPHILIZED PHARMACEUTICAL COMPOSITIONS"

SIR:

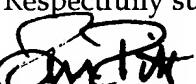
We enclose herewith:

- Copy of Notice to Comply with Requirements;
- Sequence Listing (paper copy);
- Sequence Listing (computer readable format);
- Preliminary Amendment (adding sequence listing); and
- Acknowledgment Postcard.

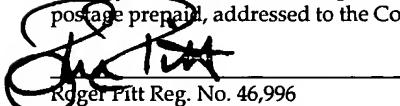
The information recorded in computer readable form, in file *Sequence Listing of 10\_566\_878.txt* is identical to the written sequence listing. No new matter has been added.

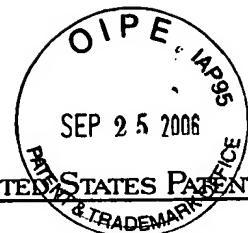
The Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 080570. The applicants hereby petition under 37 CFR 1.136 or other applicable rule to have the response period extended the number of months necessary to render the attached communication timely if a petition is required.

Respectfully submitted,

By   
Roger Pitt  
Reg. No. 46,996  
Phone: (212) 536-4867

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, postage prepaid, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 20, 2006.

  
Roger Pitt Reg. No. 46,996



## UNITED STATES PATENT AND TRADEMARK OFFICE

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IFW

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/566,878                  | Andries Van Es        | NY060155VANES    |

00545  
 ROGER PITT  
 KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP  
 599 LEXINGTON AVENUE  
 33RD FLOOR  
 NEW YORK, NY 10022-6030

INTERNATIONAL APPLICATION NO.

PCT/NL04/00552

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 08/04/2004       | 08/05/2003    |

CONFIRMATION NO. 9964  
 371 FORMALITIES LETTER



\*OC000000019636507\*

Date Mailed: 08/01/2006

COPY

## NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact: **AUG 04 2006**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

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KIRKPATRICK & LOCKHART  
NICHOLSON GRAHAM LLP

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/566,878                  | PCT/NL04/00552                | NY060155VANES    |

FORM PCT/DO/EO/922 (371 Formalities Notice)